

THIRD DAY

MONDAY, APRIL 24, 2006

PROCEEDINGS

The Senate met at 2:00 p.m. pursuant to adjournment and was called to order by the President.

The roll was called and the following Senators were present: Armbrister, Averitt, Barrientos, Brimer, Carona, Deuell, Duncan, Ellis, Eltife, Estes, Fraser, Gallegos, Harris, Jackson, Janek, Lindsay, Lucio, Madla, Nelson, Ogden, Seliger, Shapiro, Shapleigh, Staples, Van de Putte, Wentworth, West, Whitmire, Williams, Zaffirini.

Absent-excused: Hinojosa.

The President announced that a quorum of the Senate was present.

The Reverend Ann Pittman, First Baptist Church, Austin, offered the invocation as follows:

Holy God, You are mysterious, strange, even, and we must confess this year has been strange, too. And, so, God, we ask You to help us remember why we are on the journey that has brought us here today. Help this Senate not to be just a group of politicians but a community of servants choosing to do good, act honestly and fairly for all people, to serve justice, and help us to be a healthier state. When schedules and money and parties distract us from our goal, call us back to being servants of the people, united even amidst diversity. Make us diligent, compassionate, and good stewards of what we have been given. It's a strange calling to think of others rather than ourselves, but You are a strange God. Wholly other. Mysterious. Different. And so we commit to be different, too, and to do what is right. Amen.

Senator Whitmire moved that the reading of the Journal of the proceedings of Thursday, April 20, 2006, be dispensed with and the Journal be approved as printed.

The motion prevailed without objection.

LEAVE OF ABSENCE

On motion of Senator Whitmire, Senator Hinojosa was granted leave of absence for today on account of important business.

CO-AUTHORS OF SENATE BILL 20

On motion of Senator Barrientos, Senators Ellis and Zaffirini will be shown as Co-authors of **SB 20**.

PHYSICIAN OF THE DAY

Senator Wentworth was recognized and presented Dr. Beverly Nuckols of New Braunfels as the Physician of the Day.

The Senate welcomed Dr. Nuckols and thanked her for her participation in the Physician of the Day program sponsored by the Texas Academy of Family Physicians.

RESOLUTION SIGNED

The President announced the signing of the following enrolled resolution in the presence of the Senate: **HCR 15**.

SENATE BILLS AND RESOLUTION ON FIRST READING

The following bills and resolution were introduced, read first time, and referred to the committees indicated:

SB 19 by Barrientos, Wentworth

Relating to the financing of certain intermunicipal commuter rail district transportation infrastructure.

To Committee on Transportation and Homeland Security.

SB 20 by Barrientos, Wentworth

Relating to reporting of certain gifts to public officials.

To Committee on State Affairs.

SB 21 by Van de Putte

Relating to nursing home representatives on the emergency management council.

To Committee on Transportation and Homeland Security.

SB 22 by Van de Putte

Relating to requiring the division of emergency management to coordinate the creation of certain medical and special needs shelters.

To Committee on Transportation and Homeland Security.

SB 23 by Williams, Janek

Relating to the costs of damages to Lamar University and its related institutions caused by Hurricane Rita; making an appropriation.

To Committee on Finance.

SJR 11 by Ogden

Proposing a constitutional amendment providing for the continuation of the constitutional appropriation of money to certain higher education entities and for the allocation of income from the higher education fund to those entities, and extending the period of maturity for certain bonds and notes issued by those entities.

To Committee on Finance.

GUEST PRESENTED

Senator Duncan was recognized and introduced to the Senate Irina Resitnikova, an exchange student from the Russian Federation.

The Senate welcomed its guest.

MOTION TO RECESS

On motion of Senator Whitmire and by unanimous consent, the Senate at 2:30 p.m. agreed to recess, pending receipt of Messages from the House and upon completion of the introduction of bills and resolutions on first reading, until 11:00 a.m. Thursday, April 27, 2006.

AT EASE

The President at 2:30 p.m. announced the Senate would stand At Ease subject to the call of the Chair.

(Tuesday, April 25, 2006)

IN LEGISLATIVE SESSION

The President at 5:33 p.m. called the Senate to order as In Legislative Session.

MESSAGE FROM THE HOUSE

HOUSE CHAMBER

Austin, Texas

April 25, 2006

The Honorable President of the Senate
Senate Chamber
Austin, Texas

Mr. President:

I am directed by the House to inform the Senate that the House has taken the following action:

THE HOUSE HAS PASSED THE FOLLOWING MEASURES:

HB 1, Relating to public school finance and property tax rate compression; making an appropriation.

HB 2, Relating to the allocation of certain revenue from franchise taxes, motor vehicle sales and use taxes, and taxes on cigarettes and other tobacco products to provide property tax relief.

HB 4, Relating to motor vehicle sales and use taxes.

HCR 17, Designating April 2006 as Child Safety Month in Texas.

HCR 20, Declaring May 6, 2006, Janie Casey Day in Keller.

Respectfully,

/s/Robert Haney, Chief Clerk
House of Representatives

HOUSE BILLS ON FIRST READING

The following bills received from the House were read first time and referred to the committees indicated:

HB 1 to Committee on Finance.

HB 2 to Committee on Finance.

HB 4 to Committee on Finance.

MOTION TO RECESS

Pursuant to the previous motion to recess, the Senate at 5:37 p.m. again agreed to recess, pending receipt of Messages from the House and upon completion of the introduction of bills and resolutions on first reading, until 11:00 a.m. Thursday, April 27, 2006.

AT EASE

The President at 5:37 p.m. announced the Senate would stand At Ease subject to the call of the Chair.

(Wednesday, April 26, 2006)

IN LEGISLATIVE SESSION

The President at 10:22 a.m. called the Senate to order as In Legislative Session.

MESSAGE FROM THE HOUSE

HOUSE CHAMBER
Austin, Texas
April 26, 2006

The Honorable President of the Senate
Senate Chamber
Austin, Texas

Mr. President:

I am directed by the House to inform the Senate that the House has taken the following action:

THE HOUSE HAS PASSED THE FOLLOWING MEASURES:

HB 3, Relating to the franchise tax; making an appropriation; providing penalties.

Respectfully,

/s/Robert Haney, Chief Clerk
House of Representatives

HOUSE BILL ON FIRST READING

The following bill received from the House was read first time and referred to the committee indicated:

HB 3 to Committee on Finance.

RESOLUTIONS OF RECOGNITION

The following resolutions were adopted by the Senate:

Memorial Resolution

SR 36 by Ellis, In memory of Theodore Allen Wilson.

Congratulatory Resolutions

SCR 1 by Barrientos, Congratulating the football team of The University of Texas at Austin for winning the 2005 National Championship.

SR 35 by Ellis, Commending Jasmin Nwachokor for earning the Girl Scout Gold Award.

SR 37 by West, Commending Alita Rose Andrews for earning the Girl Scout Gold Award.

SR 38 by West, Commending Krystal Castaneda for earning the Girl Scout Gold Award.

SR 39 by West, Commending Rachel Hendricks for earning the Girl Scout Gold Award.

SR 40 by West, Commending Rachel Whavers for earning the Girl Scout Gold Award.

SR 42 by Van de Putte, Recognizing the National Guard Bureau, the Adjutant General, the Texas Army National Guard, the Texas Air National Guard, and the Texas State Guard for their assistance with Hurricane Katrina and Hurricane Rita relief.

SR 43 by Jackson, Recognizing Cathrine Lorene Bundick of Old Ocean on the occasion of her high school graduation.

SR 44 by Jackson, Recognizing Emily Ryan Davis of Angleton on the occasion of her high school graduation.

SR 45 by Jackson, Recognizing Danielle Elizabeth Hanscheck on the occasion of her high school graduation.

SR 46 by Jackson, Recognizing Jasmine Cyre Kea of Angleton on the occasion of her high school graduation.

SR 47 by Jackson, Recognizing Ky Lynn Lebow of Lake Jackson on the occasion of his high school graduation.

SR 48 by Jackson, Recognizing James Thomas Minshew of Clute on the occasion of his high school graduation.

SR 49 by Jackson, Recognizing Nolan Jacob Moore of Angleton on the occasion of his high school graduation.

SR 50 by Jackson, Recognizing Darla Renae Yates of Angleton on the occasion of her high school graduation.

SR 52 by Ellis, Recognizing Trinity United Methodist Church of Houston on the occasion of its Women's Day 2006 celebration.

SR 53 by Fraser, Congratulating Donald R. Grobowsky for being named chairman of the Texas Bankers Association for 2006-2007.

SR 54 by Lucio, Recognizing Prudencio Alberto "Beto" Leal on the occasion of his 70th birthday.

SR 55 by Lucio, Congratulating David Blankinship for being selected as the 2006 Outstanding Naturalist by the Valley Nature Center.

Official Designation Resolutions

SR 41 by Seliger, Recognizing the annual West Texas Barbecue Association Championship Cookoff as a Texas State Championship event.

SR 51 by Shapiro, Recognizing April 25, 2006, as Volunteer Day.

SR 56 by Ellis, Recognizing June 10, 2006, as XV Concurso Día del Niño Day.

RECESS

Pursuant to a previously adopted motion, the Senate at 10:23 a.m. recessed until 11:00 a.m. Thursday, April 27, 2006.